HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION NO: 24595 of 2007

Dated: 27-11-2007

Between:

Allipuram Ravinder Reddy

..... PETIT

AND

Government of A.P.,
Rep., by its Principal Secretary,
Revenue Department,
Secretariat, Hyderabad and 2 others.

.....RESPONI

HON'BLE SRI JUSTICE C.V.NAGARJUNA REDDY

WRIT PETITION No. 24595 of 2007

O R D E R:

This writ petition is filed for a writ of Mandamus to declare the action of respondents in not paying compensation for the extent of Ac.2.32 guntas in Sy.Nos.552/D and 547/B and the further action of the respondents in not paying higher compensation in respect of Ac.0.37 guntas and Ac.1.20 guntas in Sy.No.552/D and Sy.No.547/B of Peddanagaram village Narsimhulapet Mandal, Warangal District as illegal.

Heard Sri P.Nageswara Rao, learned counsel for the petitioner.

At the outset, the second part of the relief can be said to be wholly misconceived. If the petitioner is not satisfied with the compensation amount already paid to him, it would have been open to him to make an application under Section 18 of the Land Acquisition Act, 1894 (for short "the Act") seeking enhancement of the compensation. Therefore, this relief cannot be entertained and considered in this writ petition. The petitioner is given liberty to avail the said remedy, if he is so advised.

As regards the grievance of the petitioner regarding non-payment of compensation for the extent Ac.2.32 guntas in the above mentioned Survey Numbers, learned counsel for the petitioner fairly admitted that the said extent is not covered by notification issued under Section 4(1) of the Act. But his contention is that as against the extents of Ac.1.20 guntas and Ac.0.37 guntas as notified, an additional extent of Ac.2.32 guntas has been acquired. I am afraid, this claim cannot be gone into by this Court in a proceeding filed under Article 226 of the Constitution of India.

Since the petitioner made representation dated 30-10-2007 to respondent No.3 claiming compensation in respect of the said land, the writ petition is disposed of with a direction to respondent No.3 to consider the representation of the petitioner, if received, and take a decision on the same within a period of 8 weeks from the date of receipt of this order.

C.V.NAGARJUNA REDDY,J

Date: 27-11-2007
KLP